

REMARKS

Claims 1-6, 8, 10-15, 17-18, 23-26, and 30-32 are pending in the present case. Claims 1-6, 8, 10-18, 23-26, and 30-32 are rejected. Claims 9 and 19 are objected to. Claims 1, 10, 17, 18, and 30 are amended herein. Claims 9, 16 and 19 are cancelled herein without prejudice. No new matter has been added.

ALLOWABLE SUBJECT MATTER

The Examiner has indicated that Claims 9 and 19 are allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Applicant wishes to thank the Examiner for indicating that Claims 9 and 19 are allowable when rewritten.

Applicant has amended the Claims to put the Claims in condition for allowance as stated by the Examiner in the present amendment.

35 U.S.C. Section 103(a) RejectionsClaims 1-6, 8, 10-13, 15, 16, 18, and 23-26

Per paragraph 3 of the Office Action, Claims 1-6, 8, 10-13, 15, 16, 18, and 23-26 are rejected under 35 U.S.C. § 103(a) as being unpatentable over United States Patent No. 6,128,657 by Okanoya et al., (hereinafter referred to as the "Okanoya") in view of United States Patent No. 6,173,322B1 by Hu, ("Hu"). As amended herein, Claim 1 has been rewritten in to include all of the limitations of the base claim and any intervening claims of Claim 9, which the Examiner has indicated is allowable if rewritten as indicated. Accordingly, Claim 1 is allowable, and hence a discussion of the rejection under 35 U.S.C. § 103(a) is moot at this time. Claims 2-6, 8, and 23-

26 depend on Claim 1, and therefore, are allowable for at least the same rationale that Claim 1 is allowable. As amended herein, Claim 10 has been rewritten in to include all of the limitations of the base claim and any intervening claims of Claim 19, which the Examiner has indicated is allowable if rewritten as indicated. Claims 11–13, 15, and 18 depend on Claim 10, and therefore, are allowable for at least the same rationale that Claim 10 is allowable. Claim 16 is cancelled. Accordingly, discussion of the rejection under 35 U.S.C. Section 103(a) as being unpatentable over Okanoya in view of Hu is moot at this time.

Claims 14, 17 and 32

Per paragraph 21 of the Office Action, Claims 14, 17 and 32 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Okanoya in view of Hu as applied to claim 10, and further in view of United States Patent No.5,864,679 by Kanai et al. (“Kanai”). As amended herein, Claim 10 has been rewritten in to include all of the limitations of the base claim and any intervening claims of Claim 19, which the Examiner has indicated is allowable if rewritten as indicated. Claims 14, 17 and 32 depend on Claim 10, and therefore, are allowable for at least the same rationale that Claim 10 is allowable. Accordingly, discussion of the rejection under 35 U.S.C. Section 103(a) as being unpatentable over Okanoya in view of Hu, and further in view of Kanai is moot at this time.

Claim 30

Per paragraph 25 of the Office Action, Claim 30 is rejected under 35 U.S.C. §103(a) as being unpatentable over Okanoya in view U.S. Pub. No. 2002/0083174A1 to Hayashi et al. (“Hayashi”). Claim 30 has been amended to depend on Claim 1. As amended herein, Claim 1

has been rewritten in to include all of the limitations of the base claim and any intervening claims of Claim 9, which the Examiner has indicated is allowable if rewritten as indicated. Accordingly, discussion of the rejection under 35 U.S.C. Section 103(a) as being unpatentable over Okanoya in view of Hayashi is moot at this time.

Claim 31

Per paragraph 27 of the Office Action, Claim 31 is rejected under 35 U.S.C. §103(a) as being unpatentable over Okanoya in view Hayashi, as applied to claim 30, and further in view of Kanai. Claim 31 is dependent on Claim 30. Claim 30 has been amended to depend on Claim 1. As amended herein, Claim 1 has been rewritten in to include all of the limitations of the base claim and any intervening claims of Claim 9, which the Examiner has indicated is allowable if rewritten as indicated. Accordingly, discussion of the rejection under 35 U.S.C. Section 103(a) as being unpatentable over Okanoya in view of Hayashi, and further is view of Kanai is moot at this time.

CONCLUSION


In light of the above remarks, Applicant respectfully requests allowance of the now allowable Claims 1–6, 8, 10–15, 17–18, 23–26, and 30–32. Applicant respectfully wishes to point out that no contested Claims remain in the present application, and that all Claims are now allowable.

The Examiner is invited to contact Applicant's undersigned representative if the Examiner believes such action would expedite resolution of the present Application.

Respectfully submitted,

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